

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PHYLLIS J. HALL,
Plaintiff,

05-CV-0223E(Sc)

-vs-

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

ORDER

The Honorable Hugh B. Scott, a Magistrate Judge in this judicial district, having conducted all proceedings necessary to determine the merits of factual and legal issues presented in this matter pursuant to this Court's referral under 28 U.S.C. §636(b)(1)(B), and having on January 18, 2007 filed his Report and Recommendation concerning such and no objection thereto having been made, it is hereby

ORDERED that said Report and Recommendation is fully confirmed, that the decision of the Commissioner is hereby vacated and this matter is remanded to the Commissioner of Social Security for further administrative proceedings.

DATED: Buffalo, N.Y.

February 21, 2007

/s/ John T. Elfvin
JOHN T. ELFVIN
S.U.S.D.J.